



The following constitutes  
the order of the court. Signed July 13, 2011

*Charles Novack*

Charles Novack  
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

In re  
TRIPATH TECHNOLOGY, INC.,  
Debtor.

CASE NO. 07-50358 (CN)  
Chapter: 11

**ORDER GRANTING DISBURSING AGENT RICHARD C. HERMERDING'S  
AMENDED MOTION FOR APPROVAL OF COMPROMISE AND SETTLEMENT  
PURSUANT TO BANKRUPTCY RULE 9019 AND FOR PAYMENT OF SPECIAL  
LITIGATION COUNSEL'S FEES AND LITIGATION COSTS  
(Tripath Officers and Directors' Litigation)**

This Court, having considered the request (the "Request") filed by Richard C. Hermerding, the Dispersing Agent for Tripath Technology, Inc. ("Tripath" or "Debtor"), for entry of an order by default granting Disbursing Agent Richard C. Hermerding's Amended Motion For Approval of Compromise and Settlement Pursuant to Bankruptcy Rule 9019 and For Payment of Special Litigation Counsel's Fees and Litigation Costs (the "Amended Motion"), and the Declaration of Bruce G. MacIntyre in support thereof, and good cause appearing therefor,

IT IS HEREBY ORDERED that the Amended Motion is granted as follows:

IT IS FURTHER ORDERED that Settlement of the D&O Claims<sup>1</sup> pursuant to the Settlement Agreement is hereby approved and PSWP shall make the payments listed in the Amended Motion for the professional fees and reimbursement of the D&O Litigation costs;

IT IS FURTHER ORDERED that PSWP shall deliver the balance of the settlement proceeds to the Tripath Estate within three business days from receipt of the settlement payment from the D&O Defendants; and

**IT IS FURTHER ORDERED** that the Disbursing Agent shall hold the balance of the settlement proceeds in trust pending further order of this Court.

\*\* END OF ORDER \*\*

<sup>1</sup> Capitalized terms not defined herein shall have the same meaning as provided in the Amended Motion.

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United States Bankruptcy Court  
Northern District of California

In re:  
Tripath Technology, Inc.  
Debtor

Case No. 07-50358-CN  
Chapter 11

## **CERTIFICATE OF NOTICE**

District/off: 0971-5

User: apie  
Form ID: pdfeoc

Page 1 of 1  
Total Noticed: 8

Date Rcvd: Jul 13, 2011

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 15, 2011.

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*  
##+George S. Trevor, Esq., Pearson Simon Warshaw Penny, LLP, 44 Montgomery St., Suite 1430,  
San Francisco, CA 94104-4701

TOTALS: 0, \* 0, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jul 15, 2011

**Signature:**

Joseph Specijns